(1)

(3)

CF 500/-

IN THE HIGH COURT OF JUDICATURE AT BILASPUR
CHHATTISGARH

WTIT PETITION NO. 2321 /2003

PETITIONER :1. Pranab Bhattacharya, Aged about 32 years, S/o.Shri P.K.Bhattacharya Dhauratikra, Baikunthpur, District Korea, Chhattisgarh

:2. Birendra Kumar Tiwari, Aged about 33 years S/o. Shri Nagendra Nath Tiwari, Post Office Patna, Tahsil Baikunthpur, District Korea, C.G.

:3. Ramkripal Sahu, Aged bout 33 years S/o. Shri Manohar Ram Sahu, Village Badgaon, P.O. Patrapali, Tah. Baikunthpur, Distt. Korea, C.G.

:4. Satish Divedi, Aged about 30 years S/o. Shri O.P.Divedi, Manendragarh, District Korea, Chhattisgarh

:5. Pankaj Pandey, Aged about 28 years S/o. Shri Ramchandra Pandey, Baikunthpur, District Korea, C.G.

P. R. No. 2161/03
Presented by Shri Shailendra Shukla
dated 30/09/03

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VERSUS

RESPONDENTS :1. State Of Chhattisgarh
Through its Secretary,
General Administration Department,
DKS Bhawan Mantralaya,
Raipur, Chhattisgarh

2. The Collector, Baikunthpur,
District Korea, Chhattisgarh.

(2)

WRIT PETITION UNDER ARTICLE 226 & 227 OF THE CONSTITUTION OF INDIA

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर (34)

आदेश पत्रक

मामला क्रमांक W.P.No.232/ सन् 2003

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

27.08.2003

Shri Shailendra Shukla, counsel for the petitioners.

Shri Ranbir Singh, Govt. Advocate takes notice on behalf of the State/respondents.

Heard.

The petitioners have preferred this petition under Article 226/227 of the Constitution of India.

In para-5 of the petition it is stated that the petitioners were appointed in Census Department as Assistant Grade-III on contract for specified duration vide Annexure P-1. In that para it has been mentioned that after completion of the Census work they were appointed in different departments. Petitioner-wise details of their posting and appointment orders have been annexed as Annexure P-2.

Learned counsel for the petitioners submitted that the petitioners 2, 3 and 4 namely, Birendra Kumar Tiwari, Ramkripal Sahu and Satish Divedi, respectively, were appointed on daily wages by the Census Department on 06.05.2000 up to 31.05.2001. Petitioners 1 & 5 namely, Pranav Bhattacharya & Pankaj Pandey respectively, were appointed on daily wages by Census Department on 19.07.2000 up to 31.05.2001. Thereafter, the petitioners were appointed on daily wages by the District Returning Officer for preparation of photo identity cards for voters vide order dated 11.12.2002. Learned

[पीछे देखें

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(35)

आदेश पत्रक

मामला क्रमांक W.P.No.2324 सन् 2003

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित —2—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

counsel for the petitioners further submitted that respondents may be directed to regularize the petitioners. He further submitted that there is an order of the department that these employees may be treated as surplus workers and should have been given priority over other department as per the notification issued by the State.

As has been mentioned in the petition itself vide appointment orders the petitioners were appointed on contract basis for a fixed term and on expiry of that term the petitioner's services have been terminated.

The Hon'ble Apex Court in the case of **Government of Tamil Nadu & another vs. G. Mohamed Ameenuddin & others** reported in **AIR 1999 SC 2202** issued directions that the Government should work out a scheme to absorb these employees in appropriate employments. It would be appropriate for the Government to work out a scheme to absorb these employees in appropriate employment. Let such a scheme be worked out as we think that such a situation occasionally arise. On earlier occasions when such situation had arisen, those who had done similar jobs, had been absorbed in Government service by the Government. In doing so, the Government may also bear in mind whether the employees can be recruited in the local authorities, quasi-governmental organizations or government companies.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. 2321/ सन् 2003

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित —3—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	In view of the above directions given by the Hon'ble Apex Court, the Government of Chhattisgarh may also consider for absorbing the surplus employees who had worked under the Census Department in the light of the direction given by the Hon'ble Apex Court and the petitioners are at liberty to approach the Government for absorption and on their moving the Government of Chhattisgarh, Department of General Administration may consider their representations appropriately. With these observations the writ petition stands disposed of. Parties are entitled for certified copy of this order. Sd/- L.C.BHADOO Judge	

Subbu